

ARKANSAS BOARD OF ANIMAL HEALTH

Minutes

August 8, 2025

2:00 p.m.

The Arkansas Board of Animal Health met at the Hot Springs Convention Center, 134 Convention Blvd., Room 205, Hot Springs, AR.

Members present: Marcus Creasy, Tyler Davis, Bruce Maloch, Dr. Mike Pallone, Tommy Wren

Members present via Zoom: Dr. Sara Throne, Dan Wright

Members absent: Chad Chester, Dr. William Hewat

Patrick Fisk, Director, Animal Health Division, and other staff members were in attendance.

Chair Wren called the meeting to order.

1. Opening comments and introductions

Chair Wren welcomed all in attendance.

Michelle Bufkin Horton, Executive Vice President of the Cattlemen's Association, welcomed attendees to the 67th Annual Convention and extended an invitation to visit the trade show following the meeting.

At this time, Fisk presented the Arkansas Animal Health Remote Attendance Policy for the Board's review and approval, shown as **Attachment 1**. Legislation has amended the Freedom of Information Act (FOIA), Act 505 of 2025, codified as Arkansas Code Annotated § 25-19-106(3), allowing a board member attending remotely to be counted toward a quorum and to vote. However; those attending remotely at today's meeting were not eligible to vote. With a quorum present, the board proceeded to vote.

**Moved by Davis, seconded by Maloch to adopt the policy as presented.**

**Motion carried.**

2. Consider the meeting minutes of April 17, 2025

**Moved by Dr. Pallone, seconded by Maloch to approve meeting minutes as presented.**

**Motion carried.**

3. Review agency reports

Accounting

No financial report was presented.

Veterinary Services

Dr. Josh Moffett, Acting State Veterinarian, provided an update on Highly Pathogenic Avian Influenza (HPAI). He reported a marked national decrease in virus detections. However, on July 2, a case was confirmed in upland game birds at a commercial operation in Pennsylvania.

HPAI in dairy cattle has also decreased in positives. California is the only state still affected with their last case on August 1.

The U.S. Department of Agriculture (USDA) is still implementing its five-pillar strategy to combat the outbreak. Biosecurity programs are underway. These include wildlife audits, Biosecurity Compliance Audit Program (BCAP) audits, and APHIS audits.

In the dairy sector, Arkansas is moving very close to unaffected status by USDA standards. All dairies have been tested in the state. That information will be compiled and submitted to USDA for our status to change to unaffected.

Dr. Moffett stated the department is monitoring the New World screwworm. The closest case to the United States is within 370 miles from the southern border, in Mexico. USDA is developing a distribution center in Texas. That facility will be able to distribute sterile flies if an outbreak threatens the United States.

Arkansas is developing a response plan that is currently in the early phases, along with a task force that will cover multiple agencies, and plan to begin meeting within the next week or two.

Dr. Moffett reported that the Southern Animal Health Association (SAHA) 2025 summer meeting was held on June 23, 2025, in North Little Rock, Arkansas. The event, hosted by Arkansas, brought together State Veterinarians from approximately 16 southern states.

A total of thirteen State Veterinarians, along with USDA officials and industry partners, were in attendance.

Three cases of Trichomoniasis have been identified in the state. One in Little River County and two in Boone County. All are working with herd health plans with their veterinarians.

The number of Theileria orientalis cases has continued to rise throughout the spring and early summer and are being monitored by the department. Eleven counties have confirmed cases. Dr. Moffett stated we are also monitoring the Asian longhorned tick in association with Theileria, working closely with Dr. Loftin and the University of Arkansas.

Dr. Moffett reported on biological approvals. Fifty to sixty vaccines have been approved, notable ones are the Avian Metapneumovirus, and the Prescription Tick Vaccine, approved for use by 14 veterinarians across the state to aid in the prevention and control of the Asian longhorned tick.

#### Food Safety/Poultry

Cheri Ellis, Agri Division Manager, reported on general activities within the division.

Ellis reported that Mid-State Egg, Berryville, completed their remodel and went from 28 packers to 48 in the facility, increasing their production. An additional grader has been hired, which will increase their production from 3 days a week to 5 days a week.

Arch Poultry Service, Summers, installed 2 additional packers. There will now be 2 graders at that facility.

Cargill Meat Solutions, Springdale, closed in July. The one employee at this facility will be relocated to a different location.

#### School Lunch Commodities

Butterball in Huntsville, Waldron, and Broken Bow, OK, have received school lunch commodity contracts, which will be approximately 15 million pounds of product being produced this past quarter.

### Auditing

Thirteen food defense audits, 2 child nutrition audits, 2 cage free audits, 4 contractor check loading verifications, and 1 label review audit were completed this quarter.

Sixteen quarterly processing visits were completed for shell egg surveillance audits.

Current volume production was 449 million pounds of chicken, 178 million pounds of turkey, 10,000 pounds of rabbit, and 1.2 million cases of shell eggs.

Black Sheep Egg Co., Walnut Ridge, had a traceback. The eggs were supplied to various locations in California. After performing an inspection at the facility, no issues were found.

Caldwell Foods, Rose Bud, are back in production.

Tyson Foods has a new hatchery in Clarksville, encompassing 4 different locations. A new hatchery was registered in Hope.

### Current Volume

384 million pounds of chicken, 175 million pounds of turkey, and 1.2 million cases of eggs were produced this quarter.

### Retail Inspections

220 new egg handler registrations were received for fiscal year 2026. 866 retail location inspections were completed, inspecting 69,000 dozen cartons of product for all labeling and grade requirements. 382 dozen cartons were placed on stop sale and returned to the processor for reworking or destruction.

### Outreach

Two employees staffed the Department's booth at the Future Farmers of America (FFA) Convention & Expo held in Hot Springs. In May, staff attended the National Egg Quality School in Greenville, South Carolina, and participated in the Beef/Egg/Strawberry Month event, which drew 275 guests. Additionally, Ellis took part in a retailer engagement event at the Red & Blue Event Center in Little Rock, where he discussed the Arkansas Egg Marketing Act.

### Food Safety/Meat

In the absence of Tillman Treat, Agri Division Manager of the Meat Inspection Program, Mindy Sloane presented the Food Safety/Meat Inspection report. USDA audited the

meat inspection program July 21 – 25 resulting in an equal to status. The next audit will take place in 3 years. Nine facilities currently work under the grant of inspection at various stages of the process. No new facilities were added this quarter. The program has now gained the ability to conduct in-house testing for antibiotics. There have been 29 program exempt reviews that have been conducted with 6 resulting in a case being documented. Fifteen cases have been conducted since the beginning of the year resulting in notices of warning being submitted to violators and one Administrative Consent Order. Dr. Moffett has conducted 2 humane-handling reviews.

Inspected slaughter activities at Williams Baptist University Meat Processing were suspended following an egregious inhumane event. A review of the facility is currently underway to ensure that appropriate corrective actions are implemented. Efforts are also being made to develop verification procedures to confirm the adequacy and effectiveness of those corrective measures.

McKeiever’s Wholesale and Retail have made the necessary improvements to their facility to lift the suspension put into effect last year.

Production volumes – 4<sup>th</sup> quarter fiscal year:

- Beef – 75,178
- Prok – 7,390
- Lamb – 750
- Goat – 74
- Total – 83,293

FY2024 totals:

- Beef – 296,853
- Pork – 21,645
- Lamb – 1,365
- Goat – 96
- Total – 319,959

Sloan reported on beef checkoff. Staff attended several livestock auctions taking the opportunity to advise them of things that are happening with their checkoff dollar. Fair kits were distributed to 20 different fairs across the state.

Johnson’s Country Cookin won the big daddy burger award in the 2<sup>nd</sup> annual Arkansas Beef Council best burger contest.

### Laboratory Services

Jami Sims, Veterinary Diagnostic Laboratory Manager, presented the laboratory services report.

Molecular diagnostics poultry testing has been down slightly; no outbreak testing was needed. Serology completed a little over 105,000 tests with about a 20 percent surge in titer checks and also passed USDA-APHIS EIA audit. Histopathology conducted 128 necropsies and 504 tissue evaluations. The microbiology laboratory had about a 23 percent increase in Q2 volume driven by a spike in May in Salmonella testing and samples for the Little Rock Zoo.

Sims reported there was one notable case in necropsy with a *Strongylus vulgaris* migration that was diagnosed with a rescue horse. This is only the second case in 6 years.

The histopathology team supported the Arkansas Children's Hospital's transplant research program via swine necropsy services.

The molecular diagnostics lab supervisor attended NPIP Mycoplasma workshop in Athens, GA. The serology team supported the University of Arkansas in their Bovine Leukemia Virus research. The clinical pathology team partnered with USDA-ARS Stuttgart location for blood chemistry testing on a project.

### Field Services

Blake Walters, Program Manager, presented field market and flea market activities for April – June 2025, reporting the numbers are consistent with the markets. Walters noted they are seeing more swine coming through the markets.

Walters also presented flea market totals for the quarter, which are starting to trend upwards. Walters also presented the exhibition event report, to include numbers for county fairs, jackpots, and others.

Walters reported on education and outreach to include presenting at electronic identifications (EID) field day at Arkansas Tech University; the Ag education graduates at Arkansas State University covering exhibition rules, official ID, and other information, and others.

Staff have responded to multiple Equine welfare and Coggins checks. These investigations resulted in testing approximately 250 horses that were untested. Nationwide for federal fiscal year 24 (October 2023 – September 2024), there were 147 cases of EIA in the U.S. Many had Piroplasmiasis as well.

### National Poultry Improvement Plan (NPIP)

Kevin Simmons, NPIP Coordinator, presented the NPIP quarterly summary report for March - May 2025.

**NPIP audits:**

- 6 company inspections
- 15 processing plant inspections
- 2 hatchery inspections
- 10 commercial table-egg company inspections
- 5 biosecurity audits
- 1 lab audit

Simmons stated staff have completed all Pullorum-typhoid tester schools, one each in Fayetteville, Batesville, and Little Rock, to include a commercial and a private class in each location. There were a total of 88 commercial attendees and 80 private attendees.

Staff have resumed performing in-person NPIP hatchery inspections as of May 1<sup>st</sup>.

For poultry feeding operation registrations, there have been 2,305 farms registered for 2025. This program is in the process of being transferred to the Natural Resources Division.

**AR Veterinary Medical Examining Committee (AVMEC)**

Dr. Sara Throne gave a report on the Livestock and Poultry AVMEC meeting held July 9, 2025.

**Applications**

Dr. Throne stated included in the minutes is a list of applications, veterinarian applications, veterinarian applicants by endorsement, veterinary technicians/technologist applications, and candidates by examination that were reviewed and approved by the committee.

**Moved by Davis, seconded by Maloch to approve the committee's recommendations as presented.**

**Motion carried.**

**Complaint Reviewal**

Dr. Throne presented all complaint reviews.

**Docket 2025-03: Ceric Newberry v. Mark Lawrence, DVM**

**Allegation - Ark. Code Ann. § 17-101-305 (a)(5) – Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine.**

The committee found that Dr. Lawrence is 1) in violation of Ark. Code Ann. §§ 17-101-305(a)(5), (7), (11), (14) and (15) and 17 CAR §§ 1-106(f)(1) and 1-113(d) for failing to verify ownership of the animal prior to treatment, establishing a proper veterinarian-client-patient relationship (VCPR) prior to prescribing a controlled substance, and improperly diagnosing the animal based on previous treatment and history; and 2) assess monetary penalties in the amount of \$1,500 per violation and 24 hours of continuing education (CE), in addition to the minimum CE requirement for licensure, as follows – 8 hours of CE in small animal internal medicine with emphasis on canine reproductive disorders, 8 hours of CE on record keeping, and 8 hours of CE on establishing VCPR. The case was sent to the legal section to draft a consent order stating the violations, findings of fact and penalties for continuing education hours and monetary fines.

**Moved by Maloch, seconded by Davis to approve the committee's recommendation.**

**Motion carried.**

**Docket No. 2025-19: Jaqueline Hamilton v. Claire Kelly, DVM**

Allegation - Ark. Code Ann. § 17-101-305(a)(13) - Revocation, suspension, surrender, or other disciplinary sanction of a license to practice veterinary medicine by another state.

The committee recommends dismissing the case.

**Moved by Davis, seconded by Creasy to approve the committee's recommendation.**

**Motion carried.**

**Docket No: 2025-17: Laurie Luechese v. David Smith, DVM**

**Docket No. 2025-18: Robert Hollett v. David Smith DVM**

Allegation - Ark. Code Ann. § 17-101-305(a)(5) - Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine.

The committee recommends dismissing the complaint, but to include educational information on the use of the terms nurse, veterinary technician, veterinary technologist, recordkeeping, presurgical consent forms, and who has authority to prescribe medications.

**Moved by Creasy, seconded by Davis to approve the committee's recommendation.**

**Motion carried.**

**Docket No.2025-05:** Tami Glitz v. Rick Bennet DVM

This case was resolved at a previous meeting.

**Moved by Maloch, seconded by Creasy to approve the committee's action.**

**Motion carried.**

**Docket No. 2025-09:** Sherry Willis v. Rion Weiner, DVM

Allegation - Ark. Code Ann. § 17-101-305(a)(5) - Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine.

The committee recommends dismissing the case.

**Moved by Maloch, seconded by Creasy to approve the committee's recommendation.**

**Motion carried.**

**Docket No.2025-10:** Pamela Powell v. Erin Eads, DVM

Allegation - Ark. Code Ann. § 17-101-305(a)(5) - Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine. Ark. Code Ann. § 17-101-305(a)(10) Cruelty to animals. Ark. Code Ann. § 17-101-305(a)(12) Being unable to practice as a veterinarian with reasonable skill and safety to patients. Ark. Code Ann. § 17-101-305(a)(16) Failing to furnish details of a patient's medical records.

The committee recommends dismissing the case.

**Moved by Maloch, seconded by Creasy to approve the committee's recommendation.**

**Motion carried.**

**Docket No. 2025-12:** Pamela Powell v. Sydney Matthews, DVM

Allegation - Ark. Code Ann. § 17-101-305(a)(5) Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine. Ark. Code Ann. § 17-101-305(a)(10) Cruelty to animals.

The committee recommends dismissing the case.

**Moved by Davis, seconded by Creasy to approve the committee's recommendation.**

**Motion carried.**

Amanda Andrews, Managing Attorney, Arkansas Department of Agriculture, stated the Dr. Zepecki matter is pending in the Pulaski County Circuit Court. It was an administrative appeal following this board's decision to revoke his veterinary license. The Department filed a motion to dismiss the appeal, and a hearing will be held August 18, 2025.

**Moved by Creasy, seconded by Dr. Pallone to accept all agency reports.**

**Motion carried.**

4. General agency activities

Fisk discussed the new titling of the section reports to along with the change of the board's name, to better reflect the duties of staff.

Andrews stated after the board's last meeting, this board approved a consent order and recommendation regarding a veterinarian. That consent order was drafted, sent to him, and signed. The committee reviewed the consent order and at this point it is appropriate for the board to accept and approve the consent order for signature.

**Moved by Davis, seconded by Creasy to approve the recommendation as presented.**

**Motion carried.**

Fisk noted that the Southern Animal Health Association meeting was hosted in Arkansas in June. The group, composed of representatives from 16 states, including veterinarians and State Animal Health Officials (SAHOs) focused discussions on livestock and poultry health issues, as well as fish farming practices.

6. Old business

No old business.

7. New business

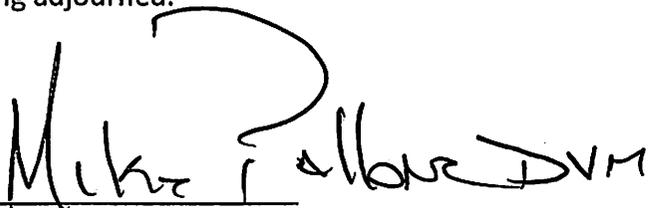
No new business.

8. Date for the next commission meeting

The next Livestock and Poultry Commission quarterly meeting is scheduled for Friday, October 17, 2025, at 10:00 a.m., in conjunction with the Arkansas State Fair.

9. Adjourn

Meeting adjourned.

  
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Tommy Wren, Chair                      Mike Pallone, DVM

# **Attachment 1**

## **Arkansas Board of Animal Health Remote Attendance Policy**

It is the policy of the Arkansas Board of Animal Health (the “Board”) that Members of the Board and its Committees are permitted to attend meetings remotely as provided by Act 505 of 2025, codified as Arkansas Code Annotated § 25-19-106(e). For a Member of the Board or a Committee who attends a meeting remotely to be counted for a quorum or to vote, the Board or Committee shall:

1. At the beginning of the meeting, verify the identity of the Member attending remotely;
2. Allow other Members and members of the public, whether physically present at the meeting or attending the meeting remotely, at all times to:
  - a. Hear the Member attending remotely;
  - b. Observe or otherwise understand a vote of the Member attending remotely; and
  - c. Know the identity of the Member attending remotely when that Member is speaking or voting; and
3. Allow a Member attending remotely to hear the other Members in attendance at the meeting and any public comment.

Any Member who attends a Board or Committee meeting remotely, as provided by this policy, shall not receive mileage or per diem for attending the meeting.